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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,576	03/15/2001	Akihiko Mizutani	JP920000024-US1	5895

7590 10/19/2004

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EXAMINER	
NG, CHRISTINE Y	

ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/809,576	MIZUTANI ET AL.	
	Examiner	Art Unit	
	Christine Ng	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-3 and 13-19* is/are allowed.

6)☒ Claim(s) *4,5,8-10 and 20* is/are rejected.

7)☒ Claim(s) *6,7,11,12,21 and 22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 10, 13 and 20 are objected to because of the following informalities:

a) In claim 10 line 2, "type of" should be deleted.

b) In claim 13 line 2, "type of" should be deleted.

c) In claim 20 line 1, "type of" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4, 5, 10, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,463,075 to Hoebeke.

Referring to claim 4, Hoebeke discloses in Figures 1 and 2 a communication method to perform on-demand group communication among a group (G1, G2, G3 or G4) comprising a plurality of communication terminals (Figure 1, CS and T1-T4). The method comprises the steps of:

A first communication terminal (Figure 1, CS) that communicates sending a packet (PLOAM cell) including appended information about a valid time period (timeslot

number and timeslot length) of the group (G1, G2, G3 or G4), as well as its own identification information (group identifier GI1, GI2, GI3 or GI4). Using the group identifier GI1, GI2, GI3 or GI4, terminals T1-T4 can determine whether they are allocated a timeslot in the next upstream frame and if they are, the timeslot number and timeslot length. Refer to Column 6, lines 12-29; Column 7, line 66 to Column 8, line 8; Column 8, line 14-27; and Column 9, lines 4-8.

Each successive communication terminal (Figure 1, T1-T4) among said plurality of communication terminals (Figure 1, T1-T4) receiving said packet (PLOAM cell) and storing (in Figure 2, MEM) said identification information (group identifiers GI1, GI2, GI3 or GI4) and the information about said valid time period (timeslot number and timeslot length) that are included in said packet (PLOAM cell). Refer to Column 7, line 66 to Column 8, line 27 and Column 9, lines 4-8.

Performing said group communication by each of said plurality of communication terminals (Figure 1, T1-T4) transferring a packet (upstream packet) based on the stored identification information (group identifiers GI1, GI2, GI3 or GI4) and the information about said valid time period (timeslot number and timeslot length). If the terminal T1-T4 is in the group identified by the group identifier GI1, GI2, GI3 or GI4, the terminal T1-T4 transfers information in the corresponding timeslot number in the next upstream frame. Refer to Column 7, line 66 to Column 8, line 43.

Referring to claim 5, Hoebeke discloses in Figures 1 and 2 that at least one of the plurality of communication terminals (Figure 1, T1-T4) that receives said packet (PLOAM cell) stores said identification information (group identifiers GI1, GI2, GI3 or

GI4) and the information about said valid time period (timeslot number and timeslot length) in a management table (Figure 2, MEM) for each group (G1, G2, G3 or G4). Refer to Column 7, line 66 to Column 8, line 27.

Referring to claims 10 and 20, Hoebeke discloses in Figures 1 and 3 a communication terminal (Figure 1, CS) that enables an on-demand type of group communication among a group comprising a plurality of communication terminals (Figure 1, CS and T1-T4). The terminal (Figure 1, CS) comprises:

Time period setting means (Figure 3, GRM) for setting a valid time period (timeslot number and timeslot length) during which said terminal (Figure 1, T1-T4) belongs to the group (G1, G2, G3 or G4). Using the GRM, the CS groups the terminals T1-T4 into groups G1, G2, G3 or G4, which determines the timeslot number and timeslot length that the terminals T1-T4 will transmit in the next upstream frame. Refer to Column 7, lines 5-11 and lines 32-50.

Communication means (Figure 3, TP') for sending a packet (PLOAM cell), said packet (PLOAM cell) comprising information about said valid time period (timeslot number and timeslot length) set by said time period setting means (Figure 3, GRM), as well as terminal identification information (group identifiers GI1, GI2, GI3 or GI4). Refer to Column 8, lines 1-8.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,463,075 to Grube et al.

Referring to claim 8, Grube et al disclose in Figures 1, 2 and 4 a communication method for performing a group communication in a wireless ad-hoc network, comprising the steps of:

Forming (Figure 2, Steps 200-201) a group (talk group) comprising a plurality of communication terminals that communicate. Refer to Column 3, lines 56-63.

Providing (Figure 4) a short life time to said group (talk group). Each user group is associated with a talk group until a predetermined period of time has elapsed in which there was no talk-group activity. Refer to Column 5, lines 29-65.

Providing decentralized management of said group (talk group) based on the lifetime of said communication terminals. Without the use of the controller (Figure 1, Element 101), the subscribers of the talk group communicate until a predetermined period of time has elapsed in which there was no talk-group activity. Refer to Column 5, lines 29-65.

Referring to claim 9, Grube et al disclose in Figures 1, 2 and 4 that the life time of said group (talk group) is updated by the transmission of packets (talk group activity). "For every signal, requesting either to be affiliated with a user-group or to gain access to a communication resource, the assigned talk-group is re-time stamped" which "resets or initiates a clock or some similar deice, which is used to measure the time between user-group activities" (Column 5, lines 32-37).

Allowable Subject Matter

6. Claims 1-3 and 13-19 are allowed.

7. Claims 6, 7, 11, 12, 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (571) 272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Ng cw
October 6, 2004

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